

CHAPTER 153.

AN ACT to repeal Section 125 of Article 10 of the Code of Public Local Laws, title "Dorchester County," sub-title "Justice of the Peace and Constables," as re-enacted by Chapter 272 of the Acts passed at the January Session, 1888, and to re-enact the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 125 of Article 10 of the Code of Public Local Laws, title "Dorchester County," sub-title "Justice of the Peace and Constables," as re-enacted by Chapter 272 of the Acts passed by the January Session, 1888, be and the same is hereby repealed and re-enacted with amendments, so as to read as follows :

Repeal and re-enact.

To whom summons in a civil action, etc., shall be made returnable.

Section 125. Every summons in a civil action and every writ of replevin issued by a justice of the peace of said county shall be made returnable before the justice who issues the same or some other justice of the same district, or to some justice of the district where the defendant or one of the defendants reside, and at or before the return day of the summons or writ of replevin, or upon the arrest of the defendant and the return of the writ or warrants the defendant may notify the justice before whom the return is made that he elects to have the case removed before some other justice for trial, and thereupon such justice shall transmit the papers in the case with a copy of his docket entries therein to some justice of the district where the defendant or one of the defendants resides ; but if the defendants reside in different districts then the justice shall transmit the papers to some justice in the district where the defendant resides who elects to have the case removed ; but on the day first fixed for trial either plaintiff or defendant may appear before the justice about to try the case and make oath that he does not believe that he can have a fair and impartial trial before such justice, and thereupon such justice shall transmit the papers with a copy of the docket entries to some other justice of the same district, or if there be no other justice in the same district qualified or able to act, then to some justice of an adjoining district, or upon request of both plaintiff and defendant, he shall transmit the papers to some justice of Election District No. 7 of said county for trial ; and whenever a case has been removed either upon the return day or upon